

BROOK & ASSOCIATES, PLLC
NEW YORK | NEW JERSEY

BRIAN C. BROOK
BRIAN@BROOK-LAW.COM

100 CHURCH STREET
FLOOR 8
NEW YORK, NY 10007
TEL: (212) 256-1957

October 6, 2021

By ECF and Email

The Honorable Lewis A. Kaplan
United States Magistrate Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *Daniel Kleeberg et al. v. Lester Eber et al.*, 1:16-cv-09517-LAK-KHP
Consent Request to Extend Post-Trial Filing Deadlines

Dear Judge Kaplan,

I write to respectfully request a one-day extension of time to file Plaintiffs' post-trial filings, so that instead of being due today, they are due October 7, 2021. Defendants' counsel consents to this request if the Defendants' submission deadline is extended to October 20, 2021, and Plaintiffs' reply is due October 27, 2021, and if the parties' submissions can be submitted under temporary seal pending a final decision. Defendants will submit that sealing request.

When the Court set deadlines, I was unaware that my colleague who has from time to time assisted me on the briefing in this matter, Ryan Bates of Bates Law in Austin, TX, had a summary judgment brief due on October 5. As a result, he was unable to provide any significant assistance before today. I have also spent more time on the issues of settlement and the preliminary injunction than I had anticipated it would take. I believe the Court will benefit greatly from the clearer exposition that will be possible with just a little bit more time.

We thank the Court for its attention to this matter.

Respectfully submitted,



Brian C. Brook

cc: All counsel of record